

BEFORE THE INDUSTRIAL COMMISSION OF THE STATE OF IDAHO

TRAVIS WILLIAM RUPERT STOWELL,

Claimant,

v.

ELMORE COUNTY,

Employer,

and

STATE INSURANCE FUND,

Surety,

Defendants.

IC 04-004543

ORDER

Filed: January 19, 2005

Pursuant to Idaho Code § 72-717, Referee Rinda Just submitted the record in the above-entitled matter, together with her proposed findings of fact and conclusion of law, to the members of the Idaho Industrial Commission for their review. Each of the undersigned Commissioners has reviewed the record and the recommendations of the Referee. The Commission concurs with these recommendations. Therefore, the Commission approves, confirms, and adopts the Referee's proposed findings of fact and conclusion of law as its own.

Based upon the foregoing reasons, IT IS HEREBY ORDERED that:

1. Claimant's injuries did not arise out of and in the course of his employment and are, therefore, not compensable. All other issues are moot.
2. The Complaint filed by Claimant is DISMISSED with prejudice.
3. Pursuant to Idaho Code § 72-718, this decision is final and conclusive as to all

matters adjudicated.

DATED this 19 day of January, 2005.

INDUSTRIAL COMMISSION

/s/ _____
Thomas E. Limbaugh, Chairman

/s/ _____
James F. Kile, Commissioner

/s/ _____
R.D. Maynard, Commissioner

ATTEST:

/s/ _____
Assistant Commission Secretary

CERTIFICATE OF SERVICE

I hereby certify that on the 19 day of January, 2005, a true and correct copy of the foregoing **ORDER** was served by regular United States Mail upon each of the following persons:

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GOICOECHEA LAW OFFICES LLP
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djb

/s/ _____